



By the King.

A Proclamation for the vtter prohibiting the importation and vse of all Tobacco, which is not of the proper growth of the Colonies of Virginia and the Summer Islands, or one of them.

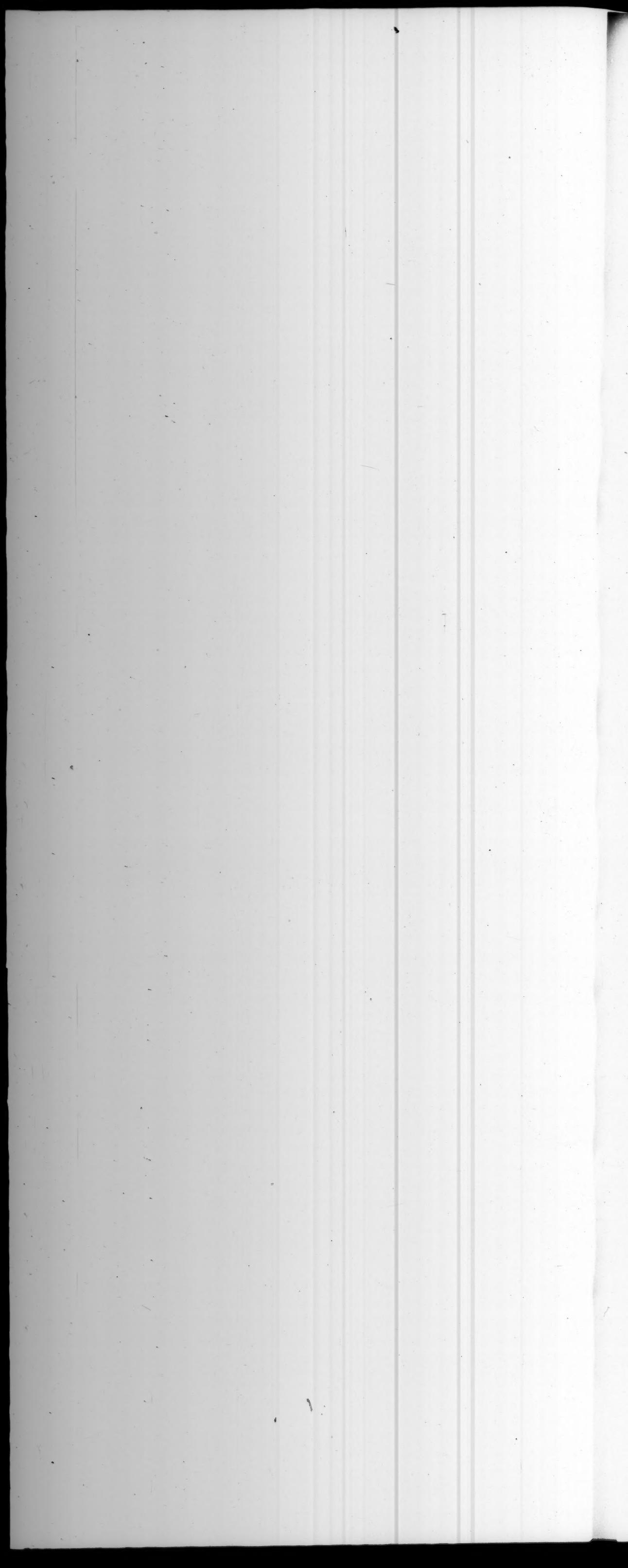


Heresas, at the humble suite of Our Commons in Parliament, by Our Royall Proclamation, bearing date the nine and twentith day of September now last past, for the reasons therein contained, we haue prohibited the importation and vse of all Tobacco, which is not of the proper growth of Our Colonies of Virginia and the Summer Islands, or one of them. And whereas, vpon the humble Petition of many Our loving Subjects, being Planters or Aduenturers in those Colonies, and for the support and incouragement of those plantations (whose prosperous estate we much affect, and shall by all good meanes be alwayes ready to cherish and protect) we haue beeene contented to tolerate the vse of Tobacco, of the growth of those plantations for a time, vntill by more solid Commodities they be able to subsist other wise, whiche (as we are informed) they cannot as yet by any meanes doe; And therefore by Our said Proclamation, wee did thinkie fit to give particular directions in many things tending to those ends, and did straitly command the due execution and obseruation thereof, vnder the penalties therein contained: Now because wee haue beeene informed, aswell by the humble Certificate of Our Commissioners for Virginia, as by the humble Petition of Divers of Our loving Subjects, the Planters and Aduenturers of, and in those Colonies, That notwithstanding Our Royall pleasure was so expressely signified, and the reasons of State are so plainly laid downe, as might haue perswaded euery well affected Subject to the due obseruance thereof; yet divers, out of an inordinate desire of private gaine, haue wilfully disobeyed Our commandement herein, and thereby haue indeauoured, as much as in them lieth, to destroy so noble a worke as the support of those plantations, whiche so much concernes Our Honour, and the honour and profit of Our people.

Wee therefore, being very sensible of this neglect and contempt, haue thought good to renew Our said Proclamation; And doe hereby signifie and declare vnto all Our loving Subjects, and vnto all others, Our expresse will and pleasure to be, That Our said former Proclamation, and every clause, prohibition, article and thing therin contained, shall from henceforth be duly obserued and obeyed, with such alterations and additions, as are in these presents contained and expressed, vpon paine of Our high displeasure, and such penalties and punishments, as in Our said former Proclamation are, or in these presents shall be limited or appointed for the offenders thereof.

And whereas some haue since Our laid last Proclamation, vnterchantlike, secretly and cunningly stollen in great parcels of Tobacco, contrary to Our said Proclamation; wee wold haue those persons, and all others by their example know, That they must expect the severite of that censure, whiche Our Court of Starre-Chamber shall thinke fit to inflic vpon them, and that wee are resolute not to relent or remit their deserued punishment, but to cause them and all others, that shall dare to offend herein, to bee prosecuted and punished in such measure, as such their high contempt doth deserve.

And because wee conceiued it wold be vitterly in vaine to prohibite the importation of such forreine Tobacco, as aforesaid, unlesse the care and ch'rege of the execution thereof were committed by Us, to some fit and able persons, who besides the respect to Our service, might for their owne particular interest take the same to heart; Therefore we haue by Our Letters Patents vnder Our great Seal



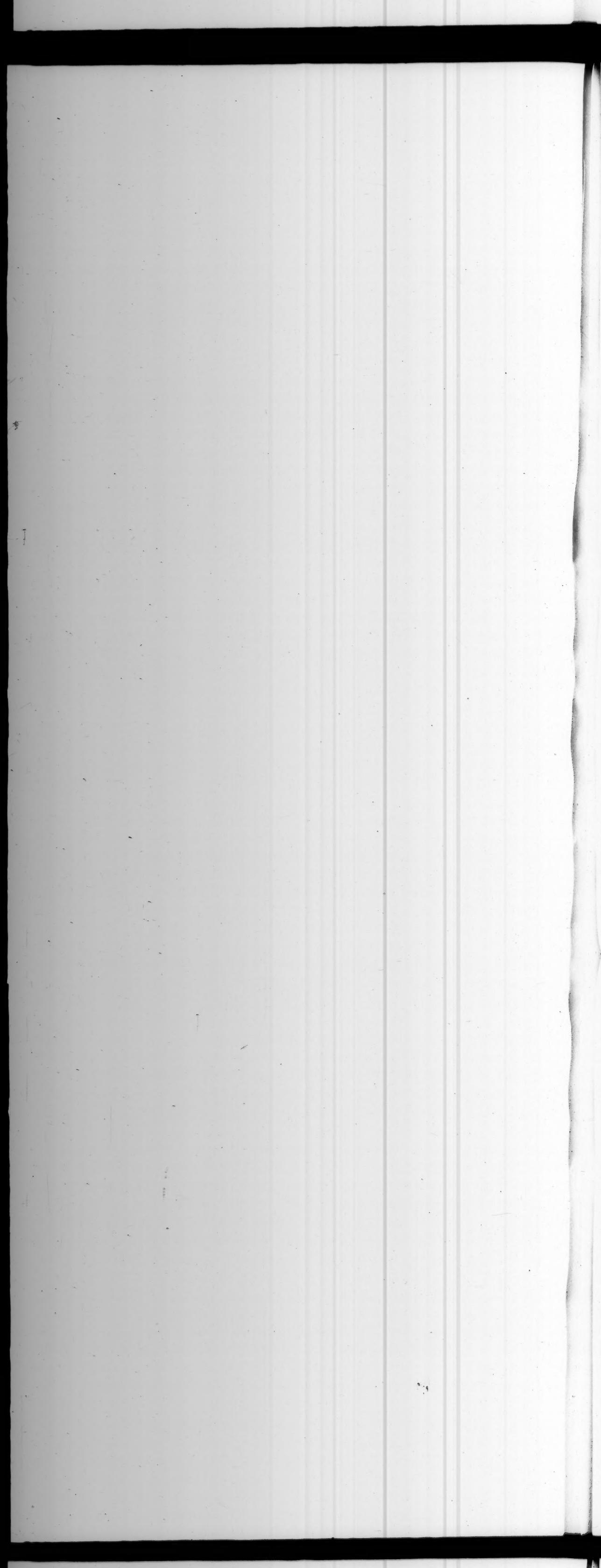
of England, authorized certaine persons, Citizens of London, well affected to those plantations, at Our seruice, by themselves, and their Deputies, to search and inquire into the offences, and offenders against Our said Proclamation: And wee haue also contracted with them to bee Our Agents for Us, and to Our vse to receive the Tobacco of those Colonies, at, and for such prices as wee haue agreed to give for the same; and besides those prices, to bee given to the Planters and owners of the said Tobacco, Our said Agents haue further contracted with Us, to give and pay unto Us, and to Our vse, such summes of money more, as may give Us reasonable satisfaction for that losse, which otherwise wee should sustaine in Our Customes and other Duties, and may make Us to beare that charge, which wee haue undertaken yearely to disburse for the generall defence and support of those Plantations. And we doe further by this Our Proclamation publish and declare, that we will constantly and immovably obserue and performe Our said contract, and on Our parts, will allow and disburse out of Our renewell, those summes of money for the safety of those Plantations, and for the ease of the Planters and Inhabitants there, which by the said contract hath beeene on Our parts undertaken; Whereof we would haue, aswell Our said Agents, as the Planters and Adventurers in those Colonies, and all other whom it may concerne, to rest confidently assured.

And because wee are giuen to understand, that divers vsing to trade in Tobacco, and having a purpose to import, or buy, or sell the same, contrary to the intent of this Our Proclamation, doe usually land the same at private Wharffes, Staires, or other places, and send, or conneigh the same vnto the Houses, Cellars, Warehouses, or other places, of, or belonging to others, who are lesse suspected then themselves, thereby to conceale the same from Us, and Our Agents; wee further will and command, That from henceforth no person whatsoeuer, presume, or suffer the said prohibited Tobacco to bee landed at any Wharffe, Staire, or other place, nor receive, or conceale any such prohibited Tobacco, or suffer the same to be bestowed in any of their Houses, Cellars, Warehouses, or other places, vpon paine of Our high displeasure, and vpon such paines and penalties, as by this, or Our former Proclamation, are to be inflicted vpon the principall offenders. And to the intent that all the prohibited Tobacco brought in, shalbe truly and truely exported againe, & no part therof sold, or vented within these Our Kingdome; Our will and command is, That all the prohibited Tobacco which shall be seized within Our Kingdome of England, shall be brought and delivered into the warehouse, or Storehouse which shall be to that purpose provided by the said Agents, in Our city of London; and all the prohibited Tobacco, which shall be seized within Our Kingdome of Ireland, shall bee brought and delivered into the Warehouses, or Storehouses which shall to that purpose bee appoynted by Our Agents in Our city of Dublin, or entwiche where within Our said Kingdome of Ireland.

And for the incouragement of those, who shall take paines in the discouery and seizing thereof, Our will and pleasure is, That the one halfe of the reasonable value thereof, shall bee paid unto the seizers thereof in money by Our Agents, & the Tobacco it selfe shall be exported againe by Our said Agents, or by their appointments: And for the better execution of Our seruice herein, we doe hereby give full power and authority, as well to Our Agent and Agents, as to their Deputy and Deputies, at all time and times, to enter into, and to search for any prohibited Tobacco, contrary to this Our Proclamation, in any Ship, Boate, or vessell, or in any House, Shop, Celler, Holler, warehouse, or in any Trunke, Chest, Case, Barrell, or Pack, Cabbin, or any other suspected place whatsoeuer, and finding any such prohibited Tobacco, the same to seize and carry away, to be conneyed to such place or Warehouse, as Our said Agent shall appoint for that purpose, as aforesaid.

And Our expresse will and command is, That neither Our said Agents, nor any others, doe sell, or vtter any part of the said prohibited Tobacco, within any Our owne Dominions, there to bee spent and vsed, whereby the vent of the Tobacco of Our Colonies aforesaid may any way bee hindred, vpon paine of Our heauy displeasure, and such other paines and penalties, as other offenders against this Our Proclamation are liable vnto.

And whereas by Our former Proclamation, we did command, that from, & after the fine & twentie day of March, then, and now next ensuing, no person should sell, vtter, or offer to put to sale, or vse any Tobacco, which is not of the proper growth of the Colonies aforesaid, and before the ende of forty dayes then next ensuing, should transport out of Our said Kingdome, all other Tobacco, then that of the growth of those Colonies: We doe now by this Our Proclamation, ratifie and confirme the same, and command, the same to be dueley put in execution: And to the ende there may be no euasion vsed to auoyd the same, wee doe hereby give full power and commandement to Our said Agents, by themselves and their Deputies, at any time, or times after the said fine and twentie day of March now next ensuing, to search for the said prohibited Tobacco, and to take a true and exact note and account of the quantity thereof, to the intent that the Owners therof, before the ende of forty dayes next ensuing after the said fine and twentie day of March, either by themselves, or some other, may export the same by the privity of the said Agents, according to the true intent of this, and



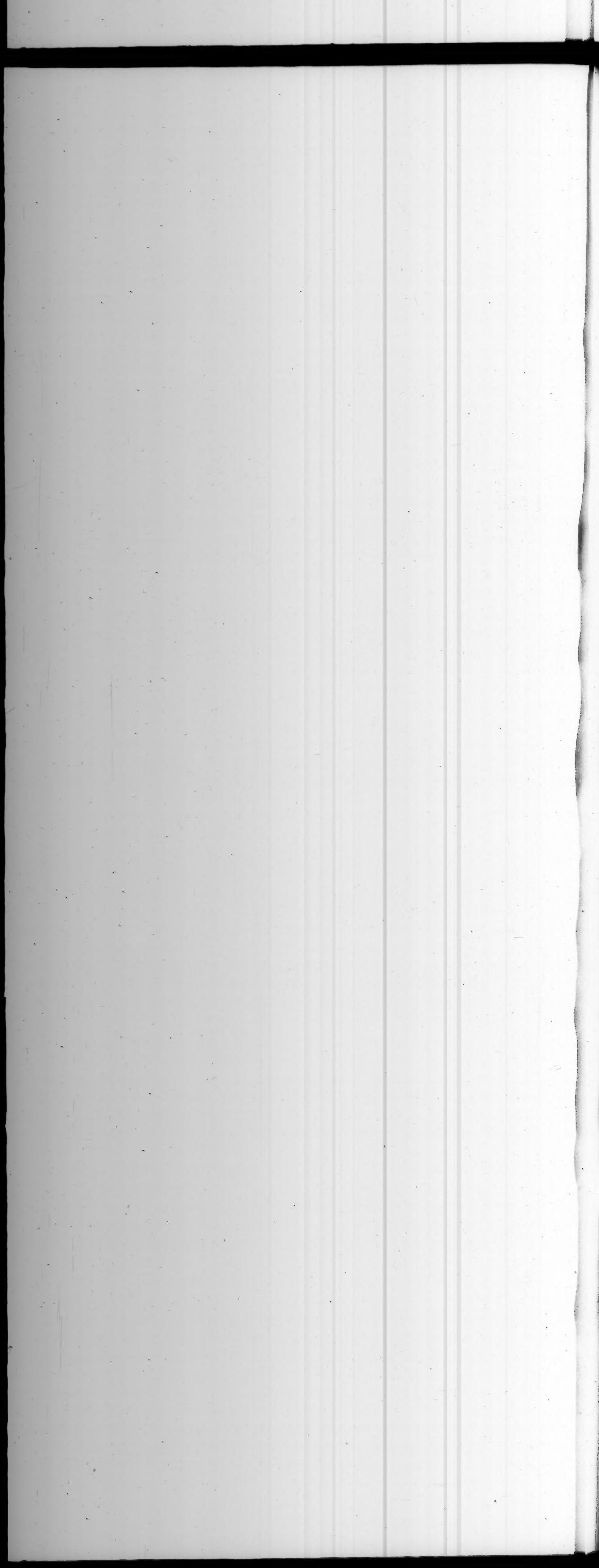
of Our said former Proclamation, and at the end of the said forty dayes, may give a just account vnto Our said Agents, what is become thereof; & whatsoeuer Tobacco which is not of the proper growth of the Plantations aforesaid, shall after the said forty dayes be found in the hands of any person whatsoeuer, shall bee seized by Our said Agents, or their Deputies to Our vse, and the said person or persons having or vsing the same, shall incurre Our high displeasure, and bee subject to such further paines and penalties, as by Our said Proclamation are to be inflicted vpon any other offenders.

And Our further Will and command is, that all the Tobacco of the growth of Our Colonies aforesaid, shall be brought to the Customie-house key of Our port of London, and there be delivered to Our Agents, or their Assignees to Our vse, according to Our contract aforesaid, or be kept in Our said Cus-
tome house to bee transported out of Our Dominions; and whatsoeuer Tobacco of the growth of those Plantations, or either of them, shall not be brought to that Key, and be delivered as aforesaid, or for which there shall not bee good security giuen to Our Agents, within soureteene dayes after the landing thereof, to export the same as aforesaid, the same shall bee forfeited and seized to Our vse by Our Agents or their Deputies, as other prohibited Tobacco, and this to bee duly obserued vnder the paines and penalties aforesaid.

And Whereas Wee are giuen to vnderstand, that diuerse vsing to trade in Tobacco, haue and still doe secretly and vnderhand steale into Our Kingdomes the said prohibited Tobacco, and doe so pri-
uily hide and conceale the same, that they cannot be easily discouered, nor found out, and doe either by themselves, or others by them to that purpose imployed, carry the same by small quantities to the houses or shops of Our subiects, inhabiting Within Our said Kingdomes, and doe sell or profer the same to bee sold, or else doe secretly and couertly offer to contract for the sale of such prohibited To-
bacco; Our will and pleasure is, and Wee doe hereby straitly charge and command all and every Our loyning subiects, to whom any the said prohibited Tobacco shal be offered to be sold or contracted for, as aforesaid that unmediately vpon the sight of any such prohibited Tobacco, or vpon offer to con-
tract for any such Tobacco, they make stay thereof, and of such person or persons, as shall either pro-
fer the same to sell, or shall offer to contract for any the said prohibited Tobacco, and that they and e-
very of them, who shall haue the said prohibited Tobacco so proffered vnto them to be sold, as afore-
said, shall give notice thereof, and charge the next Constable, Head borough, or other Officer, with
such person or persons, who shall offer to put the same to sale, vpon paine of Our high displeasure, and
of such other paines and penalties, as other offenders against this Our Royall Proclamation are li-
able vnto. And Wee doe hereby further charge and command all and singuler Constables, Head-
boroughs & other Our Officers aforesaid, that they and every of them, vpon notice vnto them giuen of
any such prohibited Tobacco, as aforesaid, or of any such person and persons so offending, as aforesaid,
that they seize the said Tobacco, and detaine all such person and persons so offending as they shal
haue knowledge of, vntill they haue giuen notice thereof vnto Our said Agents or their Deputies or
Deputies, and vntill by their meanes the person offending may be brought before such Officer as hath
power by this Our Proclamation to take sufficient bond for the appearance of such person, in some
of Our Courts of justice, to answer for their faults as the same shall deserve.

And for the better finding out and discouery of the offences and offenders against Our former and this Our Proclamation, We are well pleased, and doe hereby require and command, that Our Tre-
asurer, Commissioners for Our Treasury, Chancellour and Barons of Our Exchequer now, and for
the time being, Within Our said Kingdomes of England and Ireland, respectively shall and may award
such and so many Commissions, as they shal thinke meet, to be directed to discreet and fit persons in
all or any Our Ports, or elsewhere, to enquire of and examine vpon oath, or otherwise, all such per-
sons as are, or shall be suspected to haue heretofore offended, or which hereafter shall offend against
this, or Our former Proclamation in this behalfe, or any other person or persons whatsoeuer, for the
finding out and discouery of the said offences and offenders, as is before mentioned; to the end that,
as well the importers of such Tobacco as the buyers, sellers, spenders, receivers and concealers there-
of, may receive such condigne punishment by fine or otherwise, for their offences, as by Our Court of
Star chamber, or Court of Exchequer shall be thought fit: And in case such Tobacco shall not, or can-
not be taken, or found to bee seized, that then euery such offender shall forfeit and pay to the hands of
Our Agent or Agents, in this behalfe for Our vse, the full value of such Tobacco, as the said offenders
heretofore haue, or hereafter shall haue imported, bought, sold, vented or received, as aforesaid, beside
such further punishment, as shall be fit to be inflicted vpon them for their contempt.

And Our further Will and pleasure is, and Wee doe hereby declare, That whatsoeuer Our said
Agent or Agents, their Assignee or Assignees, vnder the hands and seals of the greater number of
them, haue already done, or shall doe hereafter against any offender or offenders, in requiring and
taking the forfeiture of any Tobacco, or the value thereof so imported or vntered as aforesaid, or in the
mitigating or taking any lesse summe then the value of the same of any such offender in the premises,



or otherwise according to the good discretion of Our said Agent or Agents, Wee doe and will from time to time appoynt and allowe of by these presents: And this signification of Our pleasure shall be as well unto Our said Agent or Agents for the time being, as unto all and every such Commissioner and Commissioners whiche haue beene, or shall be employed, in, or about this Our service, a sufficient warrant and discharge in that behalfe, without any account to be by them, or any of them respectively yeelded to Us, Our Heires or Successors, and without incurring any penalty in the doing or executing of this Our Service and Royall Command.

And forasmuch as heretofore divers great quantites of Tobacco haue beene imported into this Realme, vnder the name or names of sundry poore Mariners, and other, which are not able to pay the value thereof, nor gaine satisfaction for the same, Our will and pleasure is the better to avoyd such frauds and deceipts in time to come, That in whatsoeuer Ship, or other Vessell, any such Tobacco in greater or lesser quantites, shalbe found or discouered to haue beeene, or to be so imported and to be shifted away that seizure thereof cannot, or shal not be made, That then such Mariners, or others, who shall sumpoynt or couler the said Tobaccoes, shall not onely be punished, as aforesaid, but that every Master of such Ship or Vessell, wherein such Tobacco shall be sumpoynted or shifted away, as aforesaid, shall forfeit to Us the value of the said Tobacco, and that such Ship or Ships shall be arrested, and stayed by the Officers of every Port, or any of Our Agents, their Deputies or Assignees respectively, vntill the said forfeiture be duly answered and paid to the hands of Our said Agent or Agents to Our vse, or su h others as th y shall appoint in that behalfe.

And for the better execution of the m^r m^{ll}s, Wee doe straightly charge and commaund all Justices of Peace, Mayors, Sherffes, Waiffes, Constables, Head borroughs, Thringmen, Our Wardens and Constable of Our Cinque Ports, and all other Our Officers and Chusters, as well of Our Admiralties, as otherwise, and all other Our louing Subiects, to whom it shall or may appertaine, that they and every of them at all time & times hereafter, and from time to time, vpon sight of Our Letters Patents, granted to Our said Agents, or of a Deputation vnder the hands & seales of our Agents, or any three of them, be ayding and assyding to Our said Agent and Agents, and their Deputies and Deputies, and to such Our Commissioners, as shall be from time to time appointed for or about this Our service, And also to be from time to time ayding and assyding to all Our Searchers, Waifers, and to all such other person and persons as shall be authorized by Our said Agent or Agents, or by Our Customers or Farmers of Our Customes, for the searching, seizing, taking, and carrying as way of all such Tobacco imported, or hereafter to be imported or vttered, or intended to be put to sale contrary to this Our Royall prohibition and commaund. And if any person or persons shall bee found, priuily or secretly to oppose or animate any others, to contradict or withstand them in the due execution of this Our service and Royall commaund, or to neglect the due execution thereof, That then we do by these presents, straightly charge and command, all and euery Our said Officers respectively, that every such person and persons shall be apprehended and brought before Our Treasurer, Chancellour of Our Exchequer, or before any the Lords or others of Our Privy Councell, or before Our chiese Baron, or some other of the Barons of Our Exchequer for the time being, to receive such order for condigne punishment to be inflicted vpon them according to their demerits, as shall be fit.

Given at Our Court at Theobalds, the second day of March, in the two and twentieth
yeere of Our Reigne of Great Britaine, France, and Ireland.

God sauе the King.

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M.DC.XXIII.